


AUG 13 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

DONELL J. BLOUNT, SR.,)	CASE NO. 7:12CV00476
)	
Plaintiff,)	
)	ORDER
v.)	
)	
SGT. LARRY ROSS COLLINS, <u>ET AL.</u> ,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendant(s).)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that defendants' motions for summary judgment (ECF Nos. 27 & 37) are **DENIED IN PART AND GRANTED IN PART**, as stated in the memorandum opinion; plaintiff's motion to strike and motion for sanctions (ECF No. 32) is **DENIED** as moot; all claims against the John Doe defendants are **DISMISSED** without prejudice under Rule 4(m) of the Federal Rules of Civil Procedure; plaintiff's motion for jury trial (ECF No. 42) is **GRANTED**; and the case shall be set for trial before a 7-member jury at the court's earliest convenience in the United States Courthouse in Big Stone Gap, Virginia, in the division of this court where the cause of action arose.

ENTER: This 13th day of August, 2013.



Chief United States District Judge